



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Deniega et al.)	Group Art Unit: 1641
)	
Appl. No.	:	10/085,169)	
)	
Filed	:	February 25, 2002)	
)	
For	:	CATHETER FOR UNIFORM DELIVERY OF MEDICATION)	
)	
Examiner	:	Ann Y. Lam)	
)	

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The owner, "I-Flow Corporation" of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of copending Patent Application Nos. 10/104,892, filed March 21, 2002, and 10/118,535, filed April 8, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patents issuing from the above-identified applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patents issuing from the above-identified applications, as presently shortened by any terminal disclaimer, in the event that they later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: JUNE 24, 2004

By: 

Curtiss C. Dosier
Registration No. 46,670
Attorney of Record
Customer No. 20,995
(949) 760-0404

H:\DOCS\CCD\CCD-5818.DOC
061404